

591—6.1(424) Definitions. When used in this chapter, unless the context otherwise requires:

“*Board*” means the Iowa comprehensive petroleum underground storage tank fund board.

“*Certificate of noncompliance*” means a document provided by the child support recovery unit certifying that the named obligor is not in compliance with a support order or with a written agreement for payment of support entered into by the unit and the obligor.

“*Charge*” means the environmental protection charge imposed upon petroleum diminution under Iowa Code section 424.3.

“*Charge payer*” means a depositor, receiver or tank owner or operator obligated to pay the charge.

“*Child support recovery unit*” means the child support recovery unit created by Iowa Code section 252B.2.

“*Cost factor*” is an amount per gallon of diminution as determined and adjusted from time to time in accordance with Iowa Code section 424.3.

“*Department*” means the department of revenue of the state of Iowa.

“*Depositor*” means any person holding title to petroleum who deposits or causes to be deposited petroleum into a tank and who transfers that title to a receiver. See below for definitions of “receiver” and “tank.” Persons (such as common or contract carriers) who transfer possession of, but not title to, petroleum from depositors to receivers are not depositors for the purposes of this chapter. A person’s status and responsibilities as a depositor are not altered by the fact that title to petroleum passes to a receiver before the petroleum is placed in a tank; however, see rule 591—6.8(424).

“*Diminution*” is the petroleum released into the environment prior to its intended beneficial use and equals the total volume of petroleum deposited in a tank multiplied by the diminution rate.

“*Diminution rate*” equals one-tenth of 1 percent.

“*Director*” means the director of the department of revenue.

“*Fund*” means the Iowa comprehensive petroleum underground storage tank fund.

“*Obligor*” means a natural person as defined in Iowa Code section 252B.1 who has been ordered by a court or administrative agency to pay support.

“*Owner or operator*” means owner or operator of a tank.

“*Petroleum*” means crude oil or any fraction of crude oil which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

“*Receiver*,” if the owner and operator of a tank are not the same person, is the person who, under a contract between the owner and operator, is responsible for payment for petroleum deposited into a tank; and if the owner and operator of a tank are the same person, is the owner.

“*Tank*” means an underground storage tank subject to regulation under Iowa Code chapter 455G or an aboveground storage tank as defined in Iowa Code section 101.21 located at a retail motor vehicle fuel outlet if the aboveground storage tank is physically connected directly to pumps which dispense petroleum that is sold at the motor vehicle fuel outlet on a retail basis.

Upon application the board may exempt from this definition those petroleum gallons dispensed through loading and unloading racks designed to handle bulk quantities of petroleum separate and different from retail motorist vehicle sales provided the receiver retains adequate records to prove accurate payment of the environmental protection charge and may exempt from this definition an aboveground petroleum storage tank located at a retail motor vehicle fuel outlet which is used only to store petroleum for subsequent deposit in underground storage tanks subject to regulation under Iowa Code chapter 455G or in other aboveground tanks.

“*Unit*” means the child support recovery unit created in Iowa Code section 252B.2.

“*Withdrawal of a certificate of noncompliance*” means a document provided by the unit certifying that the certificate of noncompliance is withdrawn and that the licensing authority may proceed with issuance, reinstatement, or renewal of an obligor’s license.

This rule is intended to implement Iowa Code section 424.2 and Iowa Code Supplement chapter 252J.